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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/903,257	07/11/2001	Steven M. Cohn	2003034-0002	9439

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Elijah Cocks  
Choate, Hall & Stewart  
53 State Street  
Exchange Place  
Boston, MA 02109

EXAMINER

BUCKLEY, DENISE J

ART UNIT

PAPER NUMBER

3641

DATE MAILED: 08/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Applicant N .

09/903,257

Applicant(s)

COHN ET AL.

Examiner

Ms. Buckley

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 July 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 1 . 6) ☐ Other: \_\_\_\_\_

***Claim Objections***

1. Claim 7 is objected to because of the following informalities: in line 7 "side" is in error. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-7, 9,12, and 15 are rejected under 35 U.S.C. 102(a &e) as being anticipated by Musk et al. (5944769). Musk et al. discloses in the abstract, a network accessible service which integrates both a business directory (a comprehensive directory of companies) and a map database to quantify a search (searching means on geographical boundaries, see figure 1,30). A user can search the business directory in a variety of methods. Referring to figures 2, and 3 shows interactions between a client and a server (service brokering tools) having contact means such as a fax, or email interaction, searching means as listed above, and in figure 1, partner branding means such as a specialty business listing database (cache said private label interface information) and mentions an automotive web site (24) or real estate community (22)(to

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facilitate sharing of network data), where profiling software 28 allows the user to store previously entered information about the user's preferences and other user data (see column 2, 4<sup>th</sup> paragraph). Further shown is a map database using radius searching and data relating to latitude and longitude information (vector data) of geographical locations (column 1, paragraphs 5, 6, and 7, and the bottom of column 3 and top of column 4) with a desired route (normalized data).

With respect to claims 5 and 6, it is known in the art to publish a pending web page (or screen) stating the web site is "under re-construction"(off-line) and to "return at a later time" or go to a different web site; and it is known upon completion of the re-construction or update of the website (comes back on-line), a message to "refresh", reload or reboot the computer is sent out to users/servers (synchronization) of the site in order to get the updated version of that web page, website etc.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 8,10,13,14,16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Musk et al in view of Sotiroff et al. in further view of D'Arlach et al. Musk et al. is discussed above. However, Musk et al. does not disclose a means for network data sharing having a data sharing engine, authorizing means to the data sharing engine, a synchronized catalog manager, editing and publishing modifications

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from a brand distribution service, or a template foundation (customized template) for all pages of a web server. Sotiriff et al teaches geographic specific search system configured to accept a query criteria to search a database (data sharing engine) containing property listings listed by property managers (who needs authorizing means 300) in a desired region which meet the entered search criteria (see abstract and figure 8). D'Arlach et al. shows a method for creating and editing a web site (the private locking or public unlocking access, column 10, line 17) in a client server environment using customizable web site templates where the computer transmits a list of templates to the client (or server, where the template can be modified in both areas) for display (or storage, or updating the templated database). In column 9, 3<sup>rd</sup> and 4th paragraph shows synchronization takes place when publishing the web site where all changes can be accessed through the web or internet.

5. Therefore, Musk et al. shows interactive network directory integrating both a business directory and a mapping database, where the business directory could be in the field of real estate. D'Arlean et al. shows creating and editing a website in a client-server environment (like the real estate business) using customized web sites templates (such as files for listing different properties for a given real estate company or agent.) to publish via a management system the templates (or the information) on the internet. Sotiroff et al. shows a home page with associated script files (property listings, or possible templates) with an SQL Daemon (managing and updating files or property listings or templates within a database for example ) to aid in searching for housing information in a desired region. The maintenance of the listings are by property

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managers who would be client users in a client-server environment and inherently work to aid in the buying and selling of real estate. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the interactive network directory of Musk et al. and editing/managing of customized web site templates by client-server computer network system of D'Arlean et al. with the home searching technique for a desired area of Sotiroff et al., in order to provide for a given area, customized property information and real estate contact information to potential buyers for the enhancement, expedition, and convenience of buying and selling of homes where time and effort are essential.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The patents to Horadan et al., Aberson, Shkedy, and Teacherson are cited to show Network Marketing systems for the internet. The patents to Horstmann, Wittgreffe et al., Steinberg et al, Von Rosen et al., and Modiano are cited to show accessing and maintaining information on the internet.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ms. Buckley whose telephone number is 703-305-0041. The examiner can normally be reached on Tues-Thurs 10-3 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Carone can be reached on 703-306-4198. The fax phone numbers for the organization where this application or proceeding is assigned are 703 872-9326 for regular communications and 703-872-9327 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-

4180.

*SR*

DjB

August 12, 2003

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SUPERVISOR